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EXAMINER	
LE, NHAN T	

ART UNIT	PAPER NUMBER
2685	

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/029,934	KLOVBORG, FLEMMING	
	Examiner	Art Unit	
	Nhan T Le	2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12/31/2001*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *22-48* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *22-48* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 22-28, 30-35, 37, 39-43, 46-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phipps (US 6,314,303) in view of Villa-Real (US 4,481,382) in further view of Okanobu (US 3,938,047).

As to claim 22, Phipps teaches a system comprising a desktop stand (see fig. 3, number 300, col. 2, lines 41-55) and a cellular mobile phone (see fig. 3, number 390, col. 2, lines 41-55), the desktop stand comprising a loudspeaker (see fig. 3, number 335, col. 3, lines 50-61) and a connection connecting the loudspeaker to audio signal from the mobile phone (see fig. 3, number 311, col. 3, lines 41-55), and the cellular mobile phone further comprising a connection for routing the signal to the louder speaker (see fig. 3, number 395, col. 3, lines 50-61). However, Phipps fails to teach the mobile phone comprising a radio receiver and/or digital audio player for producing the audio signal and a timer or clock to activate the radio receiver and/or audio signal player to route the audio signal to the loudspeaker. Villa-Real teaches the mobile phone comprising a radio receiver and/or digital audio player for producing the audio signal (see col. 3, lines 13-37), a timer or clock to activate the radio receiver and/or audio signal player to route the audio signal from the loudspeaker (see col. 9, lines 46-68, col.

10, lines 1-53). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Villa-Real into the system of Phipps in order to provide a portable cellular phone with multiple uses (as suggested by Villa-Real col. 1, lines 40-47). The combination of Phipps and Villa-Real fails to teach a control located on the cradle for temporarily interrupting audio signal from the loudspeaker. Okanobu teaches a button which activates interruption of the audio signal and/or a button for ending the audio signal (see col. 2, lines 19-68, col. 3, lines 1-5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Okanobu into the system of Phipps and Villa-Real in order to stop reproduction of sounds or alarms (as suggested by Okanobu, see col. 1, lines 24-43).

As to claim 23, the combination of Phipps, Villa-Real and Okanobu teaches a system, wherein the desktop stand is provided with a button which activates interruption of the audio signal and/or a button for ending the audio signal (see Okanobu col. 2, lines 19-68, col. 3, lines 1-5).

As to claim 24, the claim is rejected as to claim 23.

As to claim 25, the claim is rejected as to claim 23.

As to claim 26, the combination of Phipps, Villa-Real and Okanobu teaches a system, in which the desktop stand comprises a connector for conducting DC current to corresponding counter parts on the mobile phones on the mobile phone (see Phipps, col. 4, lines 25-29).

As to claim 27, the combination of Phipps, Villa-Real and Okanobu teaches a system, in which the desktop stand includes a DC power source (see Phipps, col. 4, lines 23-33).

As to claims 28, the combination of Phipps, Villa-Real and Okanobu teaches a system, in which a desktop stand comprises an amplifier which amplifies the audio signal before routing to the loudspeaker (see Okanobu col. 3, lines 6-15).

As to claim 30, the combination of Phipps, Villa-Real and Okanobu teaches a system, in which a desktop stand further comprising a microphone and a connection for routing a signal from the microphone to mobile phone, so that the system may be used as speaker phone (see Phipps, col. 3, lines 50-61).

As to claim 31, the combination of Phipps, Villa-Real and Okanobu teaches a system, in which the desktop stand comprises a connector and the mobile phone has a counterpart connection for transmitting the audio signal from the mobile phone to the desktop stand (see Phipps, col. 3, lines 50-61).

As to claim 32, the combination of Phipps, Villa-Real and Okanobu teaches a system, in which the mobile phone comprises a menu controlled programmable alarm lock allowing selection of the desired audio signal source (see Villa-Real col. 3, line 41-68, col. 4, lines 1-44).

As to claim 33, Phipps teaches a use of cellular mobile phone (see fig. 3, number 390, lines 41-55) associated with a desktop stand (see fig. 3, number 300, col. 2, lines 41-55) having a loudspeaker (see fig. 3, number 335, col. 3, lines 50-61), and a programmable memory (see Phipps, col. 2, lines 56-67, col. 3, lines 1-35). Phipps fails

to teach a mobile phone with a radio receiver and/or digital audio player to route the audio signal which is played through the loudspeaker as a lock. Villa-Real teaches the mobile phone comprising a radio receiver and/or digital audio player for producing the audio signal (see col. 3, lines 13-37), a timer or clock to activate the radio receiver and/or audio signal player (see col. 9, lines 46-68, col. 10, lines 1-53). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Villa-Real into the system of Phipps in order to provide a portable cellular phone with multiple uses (as suggested by Villa-Real col. 1, lines 40-47). The combination of Phipps and Villa-Real fails to teach a control located on the cradle for temporarily interrupting audio signal from the loudspeaker. Okanobu teaches a button which activates interruption of the audio signal and/or a button for ending the audio signal (see col. 2, lines 19-68, col. 3, lines 1-5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Okanobu into the system of Phipps and Villa-Real in order to stop reproduction of sounds or alarms (as suggested by Okanobu, see col. 1, lines 24-43).

As to claim 34, Phipps teaches a mobile phone comprising charging contacts arranged on an outer surface of mobile phone which allow contact with counter parts of a desktop stand (see col. 4, lines 25-29), external contact on external surface of the mobile phone which allow contact with counterparts arranged on the desktop stand for routing the signal to the desktop stand (see fig. 3, number 390, col. 2, lines 41-55). However, Phipps fails to teach the mobile phone comprising a radio receiver and/or digital audio player for producing the audio signal to the loudspeaker, a timer or clock to

activate the radio receiver to play audio signal with a loudspeaker. Villa-Real teaches the mobile phone comprising a radio receiver and/or digital audio player for producing the audio signal (see col. 3, lines 13-37), a timer or clock to activate the radio receiver (see col. 9, lines 46-68, col. 10, lines 1-53). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Villa-Real into the system of Phipps in order to provide a portable cellular phone with multiple uses (as suggested by Villa-Real col. 1, lines 40-47). The combination of Phipps and Villa-Real fails to teach a control located on the cradle for temporarily interrupting audio signal from the loudspeaker. Okanobu teaches a button which activates interruption of the audio signal and/or a button for ending the audio signal (see col. 2, lines 19-68, col. 3, lines 1-5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Okanobu into the system of Phipps and Villa-Real in order to stop reproduction of sounds or alarms (as suggested by Okanobu, see col. 1, lines 24-43).

As to claim 35, the claim is rejected as to claim 22.

As to claim 37, the claim is rejected as to claim 32.

As to claim 39, the claim is rejected as to claim 23.

As to claim 40, the claim is rejected as to claim 27.

As to claim 41, the claim is rejected as to claim 24.

As to claim 42, the claim is rejected as to claim 28.

As to claim 43, the combination of Phipps, Villa-Real and Okanobu also teaches a system, in which a desktop stand comprises an amplifier associated with a volume

button on desktop stand which amplifies the audio signal before routing to the loudspeaker (see Okanobu, col. 3, lines 6-15).

As to claim 46, the claim is rejected as to claim 27.

As to claim 47, the claim is rejected as to claim 28.

As to claim 48, The combination of Phipps, Villa-Real and Okanobu teaches a system, in which the desktop stand includes a connection to be connected to external DC power source (see Phipps col. 4, lines 23-33).

2. Claims 29, 36, 44, 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phipps (US 6,314,303) in view of Villa-Real (US 4,481,382), Okanobu (US 3,938,047) and in further view of Chang et al (US 6,317,491).

As to claims 29, the combination of Phipps, Villa-Real, okanobu teaches a system, wherein the mobile phone is on the desktop stand. However, the combination of Phipps, Villa-Real, and Okanobu fails to teach the mobile phone, wherein a full screen size of a display on the mobile phone is used to display time when the mobile phone is on the desktop stand. Chang teaches the mobile phone with display and real time clock (see col. 3, lines 25-49). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Chang into the system of Phipps, Villa-Real, and Okanobu in order to display information from CPU (as suggested by Chang, see col. 3, lines 25-49).

As to claim 36, the claim is rejected as to claim 29.

As to claim 44, the claim is rejected as to claim 29.

As to claim 45, the claim is rejected as to claim 29.

3. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Phipps (US 6,314,303) in view of Okanobu (US 3,938,047).

As to claim 38, Phipps teaches a desktop stand comprising a loudspeaker and a cradle for receiving a mobile phone (see fig. 3, number 300, col. 2, lines 41-55, number 335, col. 3, lines 50-61), the cradle being provided with charge contacts which allow contact with counterparts of the mobile phone and the cradle including contacts which allow contact with counterparts of mobile phone receiving an audio signal from the mobile phone and routing the audio signal to the loudspeaker (see fig. 3, number 310, col. 2, lines 41-55). Phipps fails to teach a control located on the cradle for temporarily interrupting audio signal from the loudspeaker. Okanobu teaches a button which activates interruption of the audio signal and/or a button for ending the audio signal (see col. 2, lines 19-68, col. 3, lines 1-5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Okanobu into the system of Phipps in order to stop reproduction of sounds or alarms (as suggested by Okanobu, see col. 1, lines 24-43).

Response to Arguments

Applicant's arguments filed 07/19/2204 have been fully considered but they are not persuasive.

As to claim 22, Applicant argues that the combination of Phipps and Villa-Real fails to teach the control for temporarily interrupting the audio signal from the loudspeaker. Examiner agrees with applicant. However, the combination of Phipps, Villa-Real and Okanobu teaches the claim limitation (ie. the control for temporarily

interrupting the audio signal from the loudspeaker). See Okanobu (see col. 2, lines 19-68, col. 3, lines 1-5).

In addition, in response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the motivation (to provide a portable cellular phone with multiple uses is found in Villa-Real col. 1, lines 40-47)

As to claims 33, 34, 38, Applicant argues that the combination of Phipps and Villa-Real fails to teach the control for temporarily interrupting the audio signal from the loudspeaker. Examiner agrees with applicant. However the combination of Phipps, Villa-Real and Okanobu teaches the claim limitation (ie. the control for temporarily interrupting the audio signal from the loudspeaker). See Okanobu (see col. 2, lines 19-68, col. 3, lines 1-5).

As to claims 23, 24, 25, 28, In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed

invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

As to claims 29, 36, 44, 45, Applicant argues that Chang does not cure the deficiency with respect to the combination of Phipps and Villa-Real. Examiner agrees with applicant. However, the combination of Phipps, Villa-Real and Okanobu teaches the limitation of the amended claim (ie. the control for temporarily interrupting the audio signal from the loudspeaker). See Okanobu (see col. 2, lines 19-68, col. 3, lines 1-5). Therefore, the combination of Phipps, Villa-Real, Okanobu and Chang teaches the limitation of claims 29, 36, 44, 45 (see Chang col. 3, lines 25-49).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhan T Le whose telephone number is 703-305-4538. The examiner can normally be reached on 08:00-05:00 (Mon-Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 703-305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nguyen Vo
1-5-2005

Nhan Le

NGUYEN T. VO
PRIMARY EXAMINER